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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Fifty-second session

SUMMARY RECORD OF THE 1267th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 17 March 1998, at 10 a.m.

Chairman: Mr. ABOUL-NASR

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The meeting was called to order at 10.15 a.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 7) (continued)

Tenth to fourteenth periodic reports of Cameroon (CERD/C/298/Add.3)

1. At the invitation of the Chairman, the Cameroonian delegation resumed its place at the Committee table.

2. Mrs. SADIQ ALI said she would like further information concerning the situation of the Pygmies employed by foresters, who apparently received salaries that were below standard. She would also like information on the conditions of forestry work.

3. Mr. EBAN OTONG (Cameroon), said that the National Committee on Human Rights and Freedoms, launched in 1992, had begun its programmes with the broad support of the Government, the diplomatic missions, non-governmental organizations (NGOs) and foreign associations. It had subsequently taken action, throughout the nation's provinces, to inform the population of its rights. The Commission on Information, established within the framework of that committee, had organized seminars, which were the best means of disseminating the principles of human rights.

4. The Committee had received more than 2,500 complaints relating to instances of violations of human rights and freedoms; it had visited prison establishments, gendarmerie brigades and police stations, and it had observed elections. The Committee, which included representatives of non-governmental organizations (NGOs), worked in conjunction with many NGOs, among them in particular the Cameroon Anglophone Movement, Union du monde des droits de l'homme, Association de lutte contre les violences faites aux femmes, Agora, Africa Watch International, Main tendue à la personne en détresse, Amnesty International, Ligue pour l'éducation de l'enfant et de la femme, and the International Federation of Human Rights. An intensive information campaign had been undertaken to promote those programmes.

5. The training of law-enforcement officers fell not only to the Committee, but also to Government authorities and other bodies, according to a policy of decentralized cooperation. A seminar had been held in Yaounde on 5 February 1998 for the training of prison staff.

6. The first article of Act No. 90/052 of 19 December 1990 concerning freedom of social communication recalled that freedom of the press was constitutionally guaranteed. The Act abolished censorship but guaranteed the protection of morality and public order, which were universal principles of the rule of law. The arrests of journalists and the suspension of various media which had been mentioned were not arbitrary: they had resulted from the implementation of Cameroonian laws and regulations, and the cases were being examined by the courts. The accused parties had tried to exercise their freedoms by disregarding those of others. In the case at hand, Mr. Njawe had written an article which encroached on someone else's privacy.

7. The independence of the judiciary was guaranteed and remedies were available to anyone who believed that his rights had been violated.

8. Cameroon was a democratic State whose legal system incorporated all international human rights instruments, and the authorities were responsible for protecting the freedoms of all. Cameroon sought harmoniously to reconcile the interests of its citizens with the protection of individual freedoms. Unfortunately, news reports on freedom of the press in Cameroon often distorted the facts and tended to focus on individuals who were almost invariably endangering values enshrined in the Constitution and the domestic legislation.

9. As for the supposed opponents of the regime who were reported to be illegally detained by the traditional chiefs, the Lamibés, they were in fact lawbreakers who had been arrested with the help of the chiefs in support of the authorities and detained in their palaces as part of a campaign against organized crime. The lawbreakers were immediately turned over to the judicial authorities. The report on those arrests merely mentioned facts without offering any real evidence; he defied anyone to give the names of any dissidents detained in that manner.

10. With regard to the strike that had been threatened in 1996 following the appointment of Government representatives, the Communes Act provided that Government officials should be placed in charge of communes operating under a special regime. That measure therefore was not discriminatory, but simply applied the law. All the municipal councils concerned had in fact resumed normal operations.

11. The draft legislation concerning the establishment of decentralized authorities under the new Constitution, was in the process of being finalized and would be presented to the National Assembly during its forthcoming sessions, in June, November or March.

12. Living conditions in Cameroonian prisons had always given rise to tendentious remarks, which were often wide of the mark. In 1992, Cameroon had launched a broad reform with a view to improving the lives of prisoners throughout the country. Under Organic Decree No. 92/052 of 27 March 1992, prisoners were granted the right to a balanced, adequate daily food ration, made up of local products and conforming to their religious requirements. Detention centres were equipped with infirmaries. In practice, however, certain places might run into problems of food or medical supplies, as a result of climatic constraints and conditions. That should not be interpreted as a deliberate intention on the part of the Government to practice discrimination of any kind, in particular since supplies were worked out purely according to the number of prisoners and not to the nature of their sentences.

13. Mr. EKOUMOU (Cameroon), replying to allegations that members of the tribe of the President of the Republic, Mr. Biya, occupied key Government positions, stated that only one minister fitted the description. The Secretary-General of the President's Office was of Peulh origin, and the Defence Minister of Sudanese origin. Those examples showed that such allegations were simply meant to tarnish the country's image.

14. With regard to the Rwandans accused of genocide, whose extradition had been requested by Belgium, Rwanda and the International Criminal Court, the Cameroonian Head of State had turned them over to the Court, in conformity with international law. The Head of State had done so because there were no judicial guarantees in Rwanda and because the death penalty was applied in that country.

15. Immigrants came to Cameroon from the five continents and included Indians, Pakistanis, Greeks, Africans, Europeans and Americans. For example, the wholesale industry was in the hands of Asians and Lebanese. Despite the border dispute between Nigeria and Cameroon, Nigerians were able to conduct business undisturbed. By contrast, the way Cameroonians were treated in Nigeria was another story. Foreigners holding valid residence permits could reside in Cameroon without difficulties, but many had no permits because of the artificial borders inherited from colonial days. How was it possible to distinguish between citizens from different countries who belonged to the same ethnic group or the same family?

16. With regard to the relationship between Muslims and the non-Muslim Kirdis from the north of Cameroon, a question raised by members of the Committee, no religion took precedence over any other in Cameroon. Moreover, the Kirdis, who were allegedly threatened, were represented at all levels of Government.

17. At the opening of the session, the Chairman of the Commission on Human Rights, citing the Secretary-General, Mr. Kofi Annan, had stated that humanitarian organizations should substantiate any allegations they made. In his view, international relations depended on mutual respect between States and on the publication of plausible information. Humanitarian fiction was best avoided. Since 1990, the United States Department of State, the International Federation of Human Rights and Amnesty International had been repeating their allegations, with no solid foundation. The Government of Cameroon wondered whether humanitarian organizations ever cared about the widows and orphans and all those killed by the so-called dissidents, who were in fact no more than common criminals.

18. It was, moreover, sometimes extremely difficult to acquire refugee status. Thus nationals from the Republic of the Congo currently in Cameroon were still waiting to be recognized as political refugees by the United Nations High Commissioner for Refugees (UNHCR).

19. Indigenous languages were promoted by the media, in particular the public radio and television services. French and English, however, remained the official languages as well as the principal means of communication. All Cameroonians who completed primary school knew one of those languages, and usually tried to speak both.

20. Lastly, a question had been raised with regard to deforestation and its impact on the Pygmies. Cameroon had a law governing forestry, and the Ministry of the Environment was working with the World Wildlife Fund and the Institut international des bois tropicaux of Montpellier in an effort to ensure the protection of that national heritage and to rationalize its use.

21. Mr. YOUMSI (Cameroon), Director of Legislation at the Ministry of Justice, said in conclusion that his delegation had greatly appreciated its stimulating dialogue with the Committee. The members' observations and questions bore witness to the interest taken in matters covered by the report.

22. In particular, the Committee had convinced his delegation of the need to incorporate in the Penal Code the offences specified in the Convention in order to give its provisions full legal effect. He promised to bring the matter to the attention of the appropriate government authorities.

23. Members of the Committee had taken note of the Cameroon Government's efforts to improve the situation of certain ethnic groups and to encourage them to participate actively in the life of the nation, while at the same time preserving their own identity. The Government was aware that differences between groups in terms of education and living standards could give rise to feelings of superiority complexes in some groups and inferiority in others, which could eventually lead to discrimination. In order to resolve that problem, it had adopted a policy which sought to achieve a balance and to eliminate differences wherever they occurred, so as to promote the development of a truly "Cameroonian identity" that benefited fully from the nation's ethnic diversity. The fact remained, however, that the Cameroonian authorities were limited by budgetary constraints in implementing their human rights protection programme in general and that designed more specifically to combat all forms of discrimination. The strategic help proposed by the Committee with a view to overcoming those difficulties had been greatly appreciated.

24. Lastly, his delegation noted that the Committee had requested further information on a number of points, and especially on everything relating to the activities of the National Committee on Human Rights and Freedoms. It would make sure that the request was duly taken into account in the next report.

25. Mr. DE GOUTTES (Country Rapporteur), summing up the debate, welcomed the presentation of the fourteenth periodic report of Cameroon, incorporating the last five overdue reports, and noted that the document had been prepared in conformity with the Committee's guidelines. He also welcomed the presence of a particularly cooperative delegation, whose excellent oral explanations had helped towards a better understanding of the country's specific features.

26. The Committee had taken a very positive view of the information provided in the report on the composition of the population, socio-economic and cultural indicators, the legal and institutional framework for the protection of human rights, and the role of the National Committee on Human Rights and Freedoms.

27. On the other hand, it had felt that the information provided concerning the implementation of articles 4, 5, 6 and 7 of the Convention was still inadequate.

28. With reference, in particular, to the subject of ethnic minorities, the Committee had expressed the wish that in its next report the State party should furnish updated information concerning the preservation of the rights

of indigenous populations, especially Pygmies and nomadic and other minorities, as well as the situation of the 4 million foreigners living in Cameroon.

29. Having considered the question of whether the Cameroonian Penal Code covered all acts of racial discrimination referred to in article 4 of the Convention, the Committee took note with satisfaction of the delegation's statement to the effect that it would advise the authorities of the need to review the country's penal laws with a view to supplementing them in that regard.

30. It was also desirable that the Cameroonian Government should, in its next report, furnish judicial data and statistics concerning complaints, prosecutions, convictions and decisions on compensation arising from acts of racial or ethnic discrimination.

31. The Committee would also like to receive information concerning measures taken to promote training in human rights for law enforcement officers, to encourage the activities of NGOs and associations combating racism, and to ensure the dissemination among the public of the provisions of the Convention, the periodic reports of the Government and the conclusions of the Committee. Lastly, the Cameroonian Government should indicate whether it envisaged accepting the amendment to paragraph 6 of article 8 of the Convention and making the optional declaration referred to in article 14.

32. The CHAIRMAN announced that the Committee had concluded the consideration of the tenth to fourteenth periodic reports of Cameroon.

33. The Cameroonian delegation withdrew.

The meeting was suspended at 11.10 a.m. and resumed at 11.30 a.m.

Second to seventh periodic reports of Cambodia (CERD/C/292/Add.2) (continued)

34. At the invitation of the Chairman, Mr. Svon (Cambodia) took a place at the Committee table.

35. Mr. van BOVEN said that the report submitted by the State party (CERD/C/292/Add.2), with a delay that was excusable in view of the difficulties the country was continuing to experience, was both well prepared and well presented. The Country Rapporteur, Mr. Yutzis, had analysed the report closely at the preceding meeting and he endorsed those comments.

36. Everyone was aware that Cambodia had lived through a real nightmare in the 1970s and that, for a variety of reasons, the United Nations and the international community had unfortunately remained impassive in the face of the atrocities committed. It had to be recognized that those responsible for the genocide in Cambodia were still unpunished.

37. As Mr. Hammarberg, the Special Representative of the Secretary-General for Human Rights in Cambodia, pointed out in his report (E/CN.4/1998/95, paras. 72 and 76), "No Khmer Rouge leader has been arrested or prosecuted by the Cambodian authorities. None of them has ever admitted guilt or even

apologized to the Cambodian people for his or her actions" ... "The lack of prosecution by the Government of past instances of serious human rights violations creates a climate of impunity and sends a negative signal to everyone in the society".

38. That having been said, the resumption of dialogue with the State party was to be welcomed. The report under consideration, prepared with the assistance of the United Nations Centre for Human Rights, while on the whole satisfactory was incomplete in a number of respects, while some of the assertions it contained invited scepticism. Thus it was stated in paragraphs 5 and 69 that there had never been any discrimination in Cambodian society and that no racial discrimination had ever manifested itself, which explained why there had never been any prosecutions on such grounds. If that were so, Cambodia would surely be an exception worldwide.

39. Fortunately, it was also stated in paragraph 18 that a Commission on Human Rights and Receipt of Complaints had been set up under the National Assembly. Recent information about the activities of that body would be very welcome.

40. Another question on which he would like to know more was that of ethnic minorities. At the preceding session Mrs. Zou had raised the question of respect for the fundamental rights of the long-established Chinese minority in Cambodia. What was the situation with regard to the Vietnamese minority, which, according to paragraph 29 of the report, also represented a very large group? Were ethnic Chinese and Vietnamese regarded as fully fledged citizens?

41. The report said nothing about the situation of minorities living in the highlands. Was that simply an oversight? Yet the aforementioned report of the Special Representative of the Secretary-General for Human Rights in Cambodia indicated in its paragraphs 147 and 149 that the highland peoples, living mostly in the north-eastern provinces of the country, made up about one per cent of Cambodia's population, that the identity of those communities, their culture and their traditional way of life were seriously threatened, and that the Government disregarded their presence and citizenship. Mr. Hammarberg's conclusions on that score coincided with those formulated by the Committee the previous year in its General Recommendation No. 23, which the Cambodian Government would do well to consult.

42. The CHAIRMAN, rectifying a slight mistake made by the previous speaker, said that the Centre for Human Rights had helped Cambodia not to prepare its report but to establish the human rights dissemination and education programme for Cambodian officials.

43. Mr. VALENCIA RODRIGUEZ welcomed the presence of a representative of the Royal Cambodian Government, bearing in mind the extremely difficult circumstances prevailing in that country, which seriously hampered respect for human rights in general and the implementation of the Convention in particular. To remedy that situation, the Royal Government had had to seek the assistance of the Centre in establishing a human rights dissemination and education programme for Cambodian officials (CERD/C/292/Add.2, para. 4).

44. The existence of 17 tribes in Cambodia meant that the implementation of the Convention in that country had to be strictly monitored. In that connection the provisions aimed at ensuring the equality of all before the law and respect for the human rights enshrined in the Constitution were positive measures which the Committee should note with satisfaction. At the practical level, he wished to know what results the Commission on Human Rights and Receipt of Complaints and the national and international NGOs referred to in paragraph 18 of the report had managed to achieve and in what way they had contributed to a more comprehensive implementation of the Convention.

45. Paragraph 27 of the report, while stating that international covenants and conventions took precedence over Cambodia's domestic legislation, appeared to suggest at the end that the administrative authorities referred to those international covenants only in the absence of national legislation. Clarification on that point by the Cambodian representative would be welcome.

46. The Committee would be interested to know whether the Constitutional Council, referred to in paragraph 47, had had an opportunity to determine the unconstitutionality of any existing legislation which might promote racial discrimination against ethnic minorities. It would also be useful to have more information about the measures taken by the Government to prevent racial discrimination, given the statement in paragraph 53 that racial discrimination did not exist in Cambodia. With regard to the implementation of article 4 of the Convention, he noted that article 61 of the Transitional Criminal Act (para. 70 and subsequent), which focused principally on incitement to national, racial and religious hatred by the media, only corresponded to part of the scope of article 4 of the Convention. More information appeared to be necessary in that respect.

47. With regard to the protection of freedom of expression, paragraph 71, which stated that the Journalists' Association was required to draw up its own code of conduct with a view to prohibiting any publication inciting racial discrimination, gave the impression the Government had delegated its own responsibilities to the journalists. If the Journalists' Association did not prohibit the spread of racist ideas, that aspect of the Convention might not be respected.

48. It would also be useful for the Committee to know what steps the Government was taking to stop the activities of the Khmer Rouge, which continued to spread racial hatred (paras. 75 to 77), and to punish the culprits.

49. It had been disturbing to read in paragraph 146 of the report that right of access to and use of public places and services should be exercised in accordance with law and custom and should not infringe upon the rights of others. Was there not a risk that respecting traditions and customs might allow the emergence or latent practice of racial discrimination? The Government might provide some explanation in that connection.

50. It would be useful for the Committee to know what progress had been made in the consideration of a number of bills relating to the implementation of the Convention and the date envisaged for their adoption. It would also be

useful to know the content of the proposed laws, particularly the Nationality Act (para. 96), the law on succession (para. 105), the law on freedom of thought, conscience and belief (para. 107), the law governing the establishment of associations (para. 117), the law on the right to form and join trade unions (para. 124) and the law on the establishment of trade unions (para. 126).

51. Mr. AGHA SHAHI subscribed to Mr. Yutzis's analysis of Cambodia's report and endorsed many of the comments made by Mr. van Boven, particularly those relating to the climate of impunity, from which all those who had committed serious crimes in Cambodia continued to benefit. Since the Cambodian Government had sought the assistance of the United Nations in bringing those responsible before the courts and that the matter of their trial had been raised within the G.7, he asked the representative of Cambodia to inform the Committee of the measures which the Government intended to take to punish the perpetrators. What prospects were there in that connection?

52. Mr. SUON (Cambodia), Adviser to the Prime Minister, replying to the questions raised by Mrs. Zou and Mr. van Boven, said that the Cambodian Government facilitated the stay of foreigners wishing to work in Cambodia by granting them a residence permit to cover the planned duration of their work. A foreign woman married to a Cambodian could obtain Cambodian nationality and any children from the marriage acquired Cambodian nationality by virtue of jus solis. At the age of 18 those children could opt for Cambodian nationality on a definitive basis. There was no discrimination against the children of a marriage between a Cambodian citizen and a foreigner.

53. With regard to the attitude of the Cambodians towards foreigners, there was unlikely to be any xenophobia in respect of the Chinese or Vietnamese who had lived in Cambodia for a long time, since Cambodia applied the jus solis, which gave Cambodian nationality to their descendants. An immigration law was in preparation.

54. He had taken careful note of the constructive comments of Mr. Yutzis on the Cambodian report and had noted that they were intended to help the Cambodian Government improve the situation in the country, which required the restoration of peace. Those comments would be passed on to the Cambodian Government, which would study them closely.

55. Replying to a question by Mr. de Gouttes on the proposed Constitutional Council, he said that the Cambodian Government was endeavouring to establish that body with the constructive advice of the French Constitutional Council. A penal code was being prepared which should provide solutions to most of the problems raised.

56. The CHAIRMAN thanked the representative of the Royal Government of Cambodia for his replies to some of the questions raised by Committee members. The Committee would certainly take into account the difficulties with which Cambodia had to contend and should note with satisfaction the undertaking by the representative of Cambodia to ensure that the comments of the Members of the Committee were duly taken into account by the Government and reflected in Cambodia's next periodic report.

57. Mr. YUTZIS (Country Rapporteur) thanked the Cambodian Government for its effort in submitting its report to the Committee, thereby demonstrating its willingness to dialogue with the body responsible for ensuring the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination.

58. The Committee should take note that Cambodia was beset by both political and cultural problems. In order to solve them, it was absolutely essential for it to establish the political stability needed to strengthen the System of government and put an end to the state of turbulence and civil war that prevailed there. Once it had done that, it would be in a position to dispense justice and to try the criminals in accordance with the law.

59. In that respect, the transitional legislation should be replaced by permanent rules if the stability of the nation was to be ensured and conditions favourable to the implementation of the Convention guaranteed. It would also be necessary to clarify some points relating to articles 2 and 4 of the Convention, in particular to amend the 1993 Constitution, which granted rights and freedoms only to Khmer citizens, and the Nationality Act. The 1996 Act, which provided that nationality applied exclusively to persons born of a Cambodian father and/or mother, took no account of the fact that it was often difficult for those concerned to prove that they fulfilled the necessary requirements and aggravated the position of some persons, such as the Vietnamese, who, unable to obtain either Cambodian or Vietnamese citizenship, became stateless. In that connection it would be useful for Cambodia to ratify the international instruments relating to stateless persons and refugees. It would also be useful for it to grant legal status to the 17 tribes living in its territory, as they were particularly vulnerable groups deprived of legal protection.

60. The Committee attached the greatest importance to racial discrimination against the Vietnamese in Cambodia; it was an explosive problem which came directly within its remit.

61. The cultural aspects of racial discrimination in Cambodia were linked to ancestral conflicts, which manifested themselves in such disturbing symptoms as the affirmation of the racial purity of the Khmers as opposed to the Vietnamese. In that regard the Committee had the authority to provide the Cambodian Government with advisory services which might help it overcome that serious problem.

62. The CHAIRMAN again thanked the Government of the Kingdom of Cambodia and said that the Committee had thus concluded its consideration of the second to seventh periodic reports of Cambodia.

Mr. Suon (Cambodia) withdrew.

Draft concluding observations* on the fourteenth periodic report of the Russian Federation (document distributed at the meeting, English only: CERD/C/52/Misc.27, future CERD/C/304/Add.43)

63. Mr. VALENCIA RODRIGUEZ (Country Rapporteur) said that the Committee needed to decide whether it would continue to present the concluding observations addressed to States parties in the old form, which was in several parts - A, B, C, D and E - or would use the simplified version proposed at the eighth meeting of the chairpersons of the bodies established under international human rights instruments (treaty bodies). As a convenience and in order to make the Committee's decision easier, he was submitting the draft concluding observations on the Russian Federation in both forms, the two versions (A and B) appearing jointly under the symbol CERD/C/52/Misc.27.

64. The CHAIRMAN said that the Committee was not bound by the decision of the chairpersons of the treaty bodies. It was free to decide for itself how it wished to present its concluding observations to States parties.

65. Mr. BANTON recalled that, at the Committee's previous session, Mr. Aboul-Nasr had himself suggested changing the presentation of the concluding observations, as other committees had done. In support of that point of view, he had drafted a proposal (CERD/C/52/Misc.24, English only) which followed the trend observed at the meeting of the chairpersons of treaty bodies. Their aim had been to assist the work of the States parties by targeting the concluding observations more precisely. Since it was not easy to give up a well-tried procedure, if the Committee did decide to make a change, several variations might be tried before a new version became established.

66. Mr. van BOVEN thought it was first necessary to have a clear idea of the actual purpose of concluding observations: they were the end results of the Committee's work, and although they served to facilitate the dialogue with States parties and to inform the General Assembly, it should not be forgotten that they were also a means of monitoring the situation in a country and that they reflected the changes which occurred in that situation between one report and the next. The Committee had already reduced the size of its reports and he was disturbed by the expressed desire to economize and rationalize still further. The current form was useful to the reader as it stood and it should be changed only after careful reflection.

67. Mr. NOBEL was in favour of flexibility, if only because the Committee might need to express itself at length and in detail on certain points and in certain cases, but might have only brief comments to make in other cases. Either option A proposed by Mr. Valencia Rodriguez, or option B, or any combination of the two would be appropriate.

68. The CHAIRMAN, speaking as a member of the Committee, drew attention to the terms of article 9, paragraph 2, of the Convention, by which the Committee should be guided.

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* In two versions, Draft A and Draft B.

69. Mr. SHERIFIS said that it was of course necessary to economize and rationalize, but not at the expense of expressing the Committee's position. He pointed out that any decision taken by the Committee would have to be applied to all States parties, even if there was some degree of flexibility, so that any changes should be discussed at some length. The Committee might envisage devoting the necessary time to it at its next session, on the understanding that the decisions taken then would apply only in 1999.

70. Mr. GARVALOV said that, given the shortage of time and the importance of the decision, the Committee should be content for the time being to keep the existing pattern for its concluding observations, which had always enabled it to express its views clearly, including on specific aspects of its activities, such as those that came under item 6 of its agenda. He wondered, moreover, why the chairpersons of the treaty bodies wanted to make things easier for the States parties. The treaty bodies should take care that by adopting such an approach, they did not in fact refrain from criticizing the States whose reports they considered. Nothing should be allowed to detract from any treaty body's mandate. In that connection, it would be interesting to look at the most recent report of the chairpersons of the treaty bodies, since, although each was entitled to represent his own Committee, none of them could claim to represent them all.

71. Mr. DIACONU said that whatever solution was adopted for the presentation of the concluding observations, it should in no event impair the substance of the suggestions and recommendations addressed by the Committee to the States parties or to the mandate conferred upon it by the Convention. Nevertheless, it had to be admitted that the Committee's observations tended to be too long; that was largely due he thought to the Committee's effort to maintain a parallel and a balance between the part devoted to the principal subjects of concern and the part reserved for suggestions and recommendations. If those two sections, D and E, were combined, the substance of the Committee's message to the State party concerned would not suffer in any way. The Committee might opt for a transitional solution, but in the end it would be forced to follow the course he proposed, if only to save time.

72. The CHAIRMAN said that the Human Rights Committee had already opted for that solution.

73. Mr. YUTZIS pointed out that, contrary to what some of his colleagues implied, the current structure of the concluding observations was not properly speaking traditional. It had been deliberately designed to be brief, simple, systematic and precise. The aim had been to improve the dialogue with the States parties by expressing the opinion of the Committee as a whole on certain fundamental points. If States parties wanted to acquaint themselves with the details of the debates, they could consult the summary records.

74. He requested therefore that the decision on the future form of the concluding observations should be postponed to the next session, and he warned against the danger of confusing simple and simplistic and cutting down with cutting out, a risk that arose whenever too great an emphasis was placed on brevity. He did not think that combining parts D and E was a good solution. The time the Committee spent preparing the two sections was an investment rather than a waste.

75. Mr. SHAHI requested that the recommendations of the chairpersons of the treaty bodies be examined more closely before any decision was taken, since he did not feel it was urgent to alter the concluding observations' existing structure. The Committee already provided far less information than before in its reports, which now contained only its conclusions and recommendations. The more the Committee's recommendations and its dialogue with the States parties were targeted, the more they tended to concentrate on specific, not to say technical, issues; in trying to be too concise, one ran the risk of becoming too sibylline and discouraging the reader. Comparing variants A and B of the concluding observations on the Russian Federation submitted by Mr. Valencia Rodriguez, he noted that the simplified version was indeed much shorter than the original. In the latter, however, the part on factors and difficulties impeding the implementation of the Convention was limited to a few lines and the part on positive aspects to a few paragraphs, which seemed to him already to comply with the recommendations of the chairpersons of the treaty bodies. He was not convinced, therefore, that the current form needed to be altered, although he did not rule out the possibility.

The meeting rose at 1 p.m.